IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3897 of 2005

Between:

Samala Mallaiah, S/o. Rajaiah, R/o. Gatlamalyala Village,

R/o. Nangnoor, Medak District.

..... PETITIONER

AND

1.The Superintendent of Police, Medak District at Sangareddy.
2.The Circle Inspector of Police, Siddipet Police Station, Medak District.
3.The Station House Officer, Rajagopalpet Police Station, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in not investigating and arresting the Accused persons in pursuance of the representation submitted on 21-3-2003 and 6-5-2003 in Cr.No.20/2003 despite the said crime is registered on 17-3-2003 as arbitrary, illegal, unconstitutional and consequently direct the respondents to investigate into the crime and arrest the Accused persons, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.C.H.SIDDAIAH

Counsel for the Respondents: G.P. FOR HOME

The Court at the stage of admission made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.3897 OF 2005

ORAL ORDER:

Heard both sides.

2. The grievance of the petitioner is that even though he lodged a complaint against his daughter-in-law and some other persons and though a case in Crime No.20 of 2003 had been registered alleging that his brother was murdered, no action had been initiated by the Station House Officer, Rajagopalpet Police Station, Medak District – third respondent herein, either under sub-section (1) of Section-156 or under Section-173 of the Code of Criminal Procedure.

3. The learned counsel appearing for the petitioner submits that upon receiving the complaint made by the petitioner, the same had been registered as Crime No.20 of 2003. Therefore, it is the grievance of the petitioner that no further action had been initiated by the Magistrate concerned.

4. In these circumstances, having regard to the facts and circumstances, suffice it to close the present writ petition with a direction to the Station House Officer, Rajagopalpet Police Station – the third respondent herein, to complete the investigation in Crime No.20 of 2003 of Rajagopalpet Police Station, Medak District, and take appropriate steps in accordance with law.

5. Accordingly, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

D.S.R.VARMA, J

15TH MARCH, 2005

ISN/KRK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1.The Superintendent of Police, Medak District at Sangareddy.
2.The Circle Inspector of Police, Siddipet Police Station, Medak District.
3.The Station House Officer, Rajagopalpet Police Station, Medak District.

4.Two CCs to the Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

5.Two CD copies.

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.3897 OF 2005

15TH MARCH 2005